IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 33 OF 2007
IN
CRIMINAL APPLICATION NO.3626 OF 1998

Virender Sood ...Applicant
V/s
Mrs. Alda Lynn Coelho and Anr. ..Respondent.

Mrs.R.R.Dhuru, Advocate for the applicant.

Ms. R.M. Gadhvi, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 12TH MARCH, 2007.

P.C.

. Heard Ms. Dhuru, learned Counsel for the applicant. This is an application for restoration of Criminal Application No.3626/1998, which was dismissed in default by the order dated 27th September, 2006 on the ground that none was present. The said order reveals that this matter was dismissed in default on 16/6/2005 and was restored on 25th October, 2005. Again it was dismissed in default on 10/1/2006 and was restored on 30th January,2006. Thereafter the matter came up before the Court on 28th August, 2006 and was adjourned for one week. Thereafter, the matter was fixed on 27th September, 2006 for hearing and final

disposal. On that day also none was present and the matter came to be dismissed, for the reasons, which were already recorded in the first order dated 16th June, 2005. It appears that the learned Counsel for the applicant have not been careful in prosecuting the matter and therefore, repeatedly this matter has been dismissed in default. I do not find any justification to restore this matter. Application stands dismissed.

(J.H. BHATIA, J.)